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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 IRMA T. CRUZ,

11 Plaintiff,

12 v.

13 CENTRAL MORTGAGE COMPANY, d.b.a.
14 CENTRAL MORTGAGE LOAN SERVICING
15 COMPANY, and OLD REPUBLIC DEFAULT
MANAGEMENT SERVICES,

16 Defendants.
17

Case No.: 12-cv-4542 JSC

**ORDER TO SHOW CAUSE REGARDING
AUTOMATIC STAY PURSUANT TO 11 U.S.C. §
362(a)**

18 The Court is in receipt of Defendant's Motion to Dismiss.¹ (Dkt. No. 20.) The motion
19 indicates that Plaintiff filed a Chapter 7 Bankruptcy Petition with the Central District of
20 California Bankruptcy Court on October 4, 2012. *See* Case No. 2:12-bk-43633-RK (C.D. Cal.
21 Bankr.). Based on the Court's review of the docket in the bankruptcy case, Plaintiff's bankruptcy
22 petition remains pending.

23 In light of Plaintiff's bankruptcy filing, Plaintiffs is ordered to show cause within fourteen
24 days as to whether the automatic stay provisions of 11 U.S.C. § 362(a) apply. Section 362
25 prohibits "any act to obtain possession of property of the estate or of property from the estate
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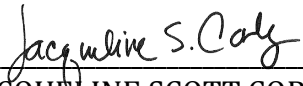
27 ¹ Pursuant to 28 U.S.C. § 636(c), Plaintiff and Defendant, Central Mortgage Company, have
28 consented to the jurisdiction of a United States magistrate judge; however, the Court notes that
Defendant Old Republic Default Management Services does not appear to have been served yet.

1 or to exercise control over property of the estate." 11 U.S.C. § 362(a)(1)(3). Defendant may file
2 a response within seven days after receipt of Plaintiff's response.

3 The briefing schedule on Defendant's Motion to Dismiss is stayed pending disposition of
4 this order to show cause.

5 **IT IS SO ORDERED.**

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7 Dated: October 25, 2012

8 
9 JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE